

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LIFESCAN, INC.,

Plaintiff,

v.

JEFFREY C. SMITH *et al.*,

Defendants.

Case No. 2:17-cv-05552-CCC-MF

**STIPULATION OF VOLUNTARY DISMISSAL
AS TO DEFENDANT GEOFFREY S. SWINDLE**

Pursuant to Fed. R. Civ. P. 41(a)(1), it is hereby stipulated by and between the undersigned attorneys for Plaintiff LifeScan, Inc. and the undersigned attorneys for Defendant Geoffrey S. Swindle that the above-titled action is discontinued and the Second Amended Complaint is dismissed without prejudice as to Defendant Geoffrey S. Swindle. Each party shall bear its own costs.

DATED: September 2, 2020

/s/ Peter C. Harvey

Peter C. Harvey
Geoffrey Potter
Aron Fischer
Nicholas R. Hartmann
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Tel.: 212-336-2000
Fax: 212-336-2222
pcharvey@pbwt.com
gpotter@pbwt.com
afischer@pbwt.com
nhartmann@pbwt.com

Attorneys for Plaintiff LifeScan, Inc.

/s/ Mary Sue Henifin

Mary Sue Henifin
BUCHANAN INGERSOLL & ROONEY PC
700 Alexander Park Drive, Suite 300
Princeton, New Jersey 08540
Tel.: 609-987-6800
Fax: 609-520-0360
mary.henifin@bipc.com

Christopher M. Von Maack
MCNEILL VON MAACK
175 South Main Street, Suite 1050
Salt Lake City, UT 84111
Tel.: 801-823-6464
Fax: 801-823-6466
vonmaack@mvmlegal.com

*Attorneys for Defendant Geoffrey S.
Swindle*